

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

EUGENE ALLEN HERNANDEZ, SR.,

Plaintiff,

vs.

CIV 10-0342 CG

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

**JUDGMENT**

Pursuant to the Order entered concurrently herewith, the Court enters this Final Order pursuant to Fed. R. Civ. P. 58, dismissing Plaintiff's complaint without prejudice.

**IT IS THEREFORE ORDERED** that Judgment is hereby entered against Plaintiff. Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.



---

THE HONORABLE CARMEN E. GARZA  
UNITED STATES MAGISTRATE JUDGE  
Presiding by Consent